SWIDLER BERLIN SHEREFF FRIEDMAN, LLP

THE WASHINGTON HARBOUR
3000 K STREET, NW, SUITE 300
WASHINGTON, DC 20007-5116
TELEPHONE (202) 424-7500
FACSIMILE (202) 424-7647
WWW.SWIDLAW.COM

New York Office THE CHRYSLER BUILDING 405 LEXINGTON AVENUE NEW YORK, NY 10174 TEL.(212) 973-0111 FAX (212) 891-9598

DIRECT DIAL: (202) 945-6983 FAX: (202) 424-7643 LEDIETERICH@SWIDLAW.COM

L. ELISE DIETERICH

August 14, 2002

ELECTRONICALLY FILED

Ms. Marlene H. Dortch Secretary, Federal Communications Commission 445 Twelfth Street, SW Washington, DC 20024

Re: Attached Written Ex Parte and Accompanying Declaration for Filing in MB Docket 02-70, in re the Applications of AT&T Broadband and Comcast Corporation.

Dear Secretary Dortch:

RCN Telecom Services, Inc., by its attorneys, is submitting the attached written *ex parte* communication and accompanying declaration by e-mail to the decision makers named in the "cc" list, below. Pursuant to section 1.1206(b)(1) and 1.49(f) of the Commission's Rules, this *ex parte* notice is being electronically filed for inclusion in the public record for the above-referenced docket. Please direct any questions concerning this filing to the undersigned.

Sincerely,

s/ L. Elise Dieterich Counsel to Starpower Communications

Attachment

cc (by e-mail): Royce Sherlock Roger Holberg Secretary Dortch August 14, 2002 Page 2

Erin Dozier
David Sappington
James Bird
Donald Stockdale
William Dever
Cynthia Bryant
Jeff Tobias
Qualex International